

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT FLETCHER,	)	
	)	
Plaintiff,	)	7:05CV5024
	)	
v.	)	
	)	
BROWN COUNTY, CHERRY COUNTY,	)	MEMORANDUM AND ORDER
DAVID STREICH, in his	)	
official & individual	)	
capacity, ERIC SCOTT, in his	)	
official & individual	)	
capacity, STEVE HAPNER, in	)	
his official & individual	)	
capacity, and JOE KREYCIK, in	)	
his official & individual	)	
capacity,	)	
	)	
Defendants.	)	
	)	

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The court was contacted this date by telephone by the plaintiff and counsel in this case concerning questions being posed by plaintiff to deponent Monika Anderson in plaintiff's extant deposition of her. Deponent had been instructed by her attorney, Gail Steen, not to answer a question of whether the deponent had been advised by Doug Stanton that he had been told by plaintiff to remain off of plaintiff's property and have no contact with members of his family without a warrant. The court heard the arguments of the plaintiff and the attorneys and made the rulings which appear below. In addition, the court made a number of rulings on questions later posed by the plaintiff to the deponent; those rulings were recorded by the court reporter and are a matter of record.

IT THEREFORE HEREBY IS ORDERED,

1. The deponent shall answer the question posed.

2. Until the matter of qualified immunity has been resolved, discovery in this matter is limited to the subject of qualified immunity of the remaining defendants in their individual capacities, unless the parties agree otherwise in particular instances.

3. The parties are encouraged to attempt to resolve their objections without the involvement of the court or to address their differences in such manner as will permit the deposition(s) to be completed.

DATED this 26<sup>th</sup> day of September, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge